

REMARKS

The Final Office Action dated March 9, 2011 has been carefully considered. Claim 1 has been amended. Claim 1 is in this application.

The previously presented claim was objected to as informal. Applicant has amended claim 1 as suggested by the Examiner.

The previously presented claim was rejected under 35 U.S.C. § 103 as obvious in view of U.S. Patent No. 5,368,015 to Wilk. Applicant submits that the teaching of this reference does not teach or suggest the invention defined by the present claim.

In contrast to the invention defined by the present claims, Wilk does not teach or suggest a parallel supporting unit as defined by the present claims. As noted by the Examiner, Wilk fails to disclose that the supporting unit includes a pair of parallel left and right supporting rods. However, the Examiner suggested that it would be obvious to one of ordinary skill in the mechanical arts to choose either a single tube or two parallel tubes as a matter of choice in design. Applicant respectfully disagrees.

Applicant submits that as described on page 3, lines 21 to 25 of the present specification it has been a very difficult problem of arranging optics at accurate positions required to achieve their perfect functionality and such difficulty in manufacturing and arranging laparoscope apparatus increases manufacture costs. Further, as described on page 4, lines 2 to 5, it is disclosed that left and right optics arranged in two rows within a single tubular body of the laparoscope complicate the overall structure thereof and excessively increases the size and complicity of such a three-dimensional image producing apparatus.

Applicant submits that the advantageous present solution to the difficult problem is not obvious in view of the prior art and in particular not obvious in view of Wilk. Applicant submits that it is only in hindsight that the Examiner can consider that it would be obvious for one of ordinary skill in the art to modify Wilk to choose two parallel tubes in place of a single tube. Moreover, there is no teaching or suggestion in Wilk of the use of a parallel support system and the advantages which can be obtained with this structure. Rather, the prior art including Wilk were unable to solve the difficult problem of arranging optics at accurate positions. Furthermore, Wilk does not teach or suggest a binocular assembly and automatic adjustment of the spacing

between left and right cameras to allow the cameras to be automatically adjusted to take stereoscopic images from all distances during laparoscopic surgery for providing three dimensional images. Accordingly, the present invention is not obvious in view of Wilk and withdrawal of this rejection is respectfully requested.

In view of the foregoing, Applicant submits that the pending claim is in condition for allowance and requests that this claim be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



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